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# Memorandum

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REPLY TO ATTN OF: EM-23 (John Lehr, 301-903-2011)

SUBJECT: Review Comments of Draft Risk-based End State Vision Document Fernald Closure Project

TO: William J. Taylor, Manager, Fernald Closure Project

The concept of Risk-based End States (RBES) is founded on achieving site closure in a responsible, sustainable and environmentally protective manner, consistent with planned site land use. The Department of Energy (DOE) will complete cleanup work quicker, safer, and more efficiently when RBES drives its site assessment, remedy selection, and actions to assure long term protectiveness. DOE Policy 455.1 *Use of Risk-Based End States* requires the development of a RBES Vision document, and a comparison of its end states with those currently planned. This comparison will be used as a basis for consideration of changes to cleanup strategies and baselines to align them with the end state vision.

My office has received the draft Fernald RBES Vision Document and the headquarters RBES review team has completed its evaluation. Attached are the detailed comments on the Vision document for your use in improving the RBES documentation. These comments have been informally discussed with your staff.

The Assistant Secretary for Environmental Management will provide further direction under separate memorandum. Office of Environmental Management staff will be available to assist the Fernald Site staff, as requested, in reviewing the final RBES document submission.

If you have any questions on the attached comments, please contact Mr. John Lehr of my staff at (301) 903-2011.

Robert Goldsmith, Ph.D.
Director
Office of Core Technical Group
Environmental Cleanup and Acceleration

Attachment

Comments to Fernald Closure Project RBES Vision Document Checklist
March 18, 2004

**Part I. Specific Content Questions for RBES Vision Document:**

Land use

1. **Does the site have a land use plan that fully describes the end state and the future land use at the site?**

   Yes

2. **For PSO sites, is the land use plan consistent with the Site Ten-Year Plan and Institutional Plan?**

   N/A

3. **Has the future land use been communicated to the regulators and is it acceptable to them?**

   The proposed future land-use was selected through discussions between the Fernald CAB, USEPA, Ohio EPA and DOE, and documented in the January 1996 OU5 ROD.

4. **Is the site's land use plan fully integrated with planned land use of the areas adjacent to the site? If not, are there receptors that require different level of protection than land use designation would imply?**

   An undeveloped park reuse designation is consistent with the prevailing residential/farming land use currently surrounding the site. Total population within a 5-mile radius of the site is only 22,900 which is indicative of a more rural area.

   Groundwater cleanup of the Great Miami Aquifer, however, is to residential standards and not associated with the proposed future land use.

5. **Is the site's cleanup plan consistent with the end state depicted in its land use plan in terms of cleanup levels, future uses, and remaining hazards? If not, what is not consistent, and how is it inconsistent.**

   Most of the site's surface soil cleanup plan is consistent with a recreational user being the primary receptor

   The on-site and off-site groundwater cleanup plan is not consistent with the proposed future land use, and is driven by the regulatory based requirement to reduce contaminate levels in the Great Miami Aquifer (GMA) to residential drinking water standards. Previous discussions about limiting future pump & treat operations and relying more on MNA, or

using a mid-river point of compliance (instead of the outfall) to reduce the long-term need to treat ground and surface waters, appear to have been dropped by the site in this RBES version.

6. **Have the landowners (current and planned) been identified and communicated with regarding the RBES Vision? Is the land ownership of the site and immediate surrounding areas clearly identified in the Vision document? If so, are those landowners in agreement with the planned land use?**

The proposed future land-use was selected through discussions between the Fernald CAB, USEPA, Ohio EPA and DOE, and documented in the January 1996 OU5 ROD. No change in land use is proposed under the RBES Vision.

The RBES cleanup strategies have been discussed with regulators and other stakeholders, and several proposed changes have already been eliminated by the site since September to meet their objections.

**Risk/hazards**

**7a. Is risk (ES&H risk, not project risk) fully and explicitly considered in the Vision document? Is this risk consideration appropriate and consistent with the site's end-state use so that cleanup standards are consistent with the planned end state land use?**

Most of the site's surface soil cleanup plan appears consistent with risks to a recreational user as the primary receptor, however the RBESV notes that it is overly conservative to use surface soil standards based on inhalation for sediments that are covered by water (streams, ponds and other open water areas). The site proposes standards that are more risk-based.

The current restrictions on maximum contaminate levels of soils and debris deposited in the OSDF, the buffer zone, and perimeter fence will make it protective of a risk-level of $10^{-7}$ to the recreational user. The RBES proposes to blend wastes and use an averaging method of measuring for total Uranium within each cell, versus the current not to exceed restriction. This will result in the OSDF still being protective of human health at a risk level of $10^{-5}$. The impact of any resultant leachate discharge limit change was not specified.

The on-site and off-site groundwater cleanup plan is driven by the regulatory based requirement to reduce contaminate levels in the Great Miami Aquifer (GMA) to residential drinking water standards.

**7b. The RBES Guidance requires risk balancing as part of the overall consideration of risk in cleanup of DOE sites (see the Guidance Clarification). Does the RBES Vision document encompass "risk balancing" in its discussion of overall risks associated with the remainder of the EM mission at the site? This would include for example risks to current as well as future on-site and off-site populations, workers**

**responsible for achieving the designated cleanup at the site, and risks to off-site populations resulting from off-site transportation of contaminated materials. These risks should be described in the document for both the current cleanup baseline and the RBES.**

Risks to off-site and on-site populations and ecological receptors have been considered in the remediation strategy for the site and are discussed in the report. The discussion could be expanded to include risk balancing considerations such as risk to workers conducting the building demolition and possible transportation risk associated with off-site disposal of waste. OK

**8. Have all the hazards that will remain, that drive the land use, been identified?**

All of the hazards driving future land use have apparently been identified.

**9. Are the hazards remaining left in a condition that is protective to human health and the environment (ecological receptors), if applicable?**

Yes, cleanup goals/standards have been established with consideration to the appropriate human and ecological receptors. Clarify *whether the untreated OSDF leachate and surface waters in the former production area will be protective of ecological receptors under the RBES scenario.*

**10. Are the residual hazard levels protective of the end-state?**

Residual hazard levels appear to be protective of the end-state under RBES, but more discussion should be provided regarding the risks associated with leaving the outfall lines and drains. Additional information on the sustainability and protectiveness of the proposed institutional controls and monitoring systems would strengthen the document.

11. **If restrictions are imposed on any contaminated environmental medium (e.g., ground water), are they clearly stated along with the basis for the restrictions?**

Yes.

**12. Do the Conceptual Site Models and narratives reference the site risk-assessment reports where they are completed?**

A Comprehensive Risk Analysis and Risk Evaluation (CRARE) was developed in 1994 in conjunction with the OU4 ROD, and updated in each subsequent ROD.

**13a. Have all EM cleanup remedies that are either in place or anticipated to be enacted undergone a formal risk assessment, and have those documents been approved for use by the appropriate senior DOE site manager? For instances where a site-wide risk assessment is yet to be performed, has such risk assessment been similarly**

**approved? If a risk assessment has not or will not be performed, the RBES Vision document should so state and justify why not.**

A Comprehensive Risk Analysis and Risk Evaluation (CRARE) was developed in 1994 in conjunction with the OU4 ROD, and updated in each subsequent ROD. Additional formal risk assessments were not prepared for changes proposed under RBES.

**13b. Is the conceptual site model complete? Is it sufficient to identify a sustainable risk-based end state? Does it consider all the pathways and receptors at risk (from both human health and ecological perspectives)? Are the major assumptions and uncertainties for each CSM clearly stated?**

A RBES CSM is presented for each of the four hazard areas discussed in the report. The CSMs are in a format that is consistent with the guidance. Human and ecological receptors and their pathways are shown. The hazard areas presented in the report address only elements that are associated with the variances presented in the Attachment and do not depict the status of other site components (e.g., buildings and silos mentioned in Table 1.1) at the end of the cleanup or at the RBES.

**13c. Is the CSM and narrative consistent?**

Yes, the CSMs and the accompanying narratives are consistent.

**13d. Is sufficient information provided as follows?**

- **List of hazards/contaminants of concern and their concentration levels, as well as the cleanup level for each hazard**
- **Pathways to the environment**
- **Projected risk levels expected and/or concentrations expected after remediation**
- **Basis in risk for existing requirements, or for regulatory limits, to provide the risk context for the applied limit**

The report discusses uranium primarily because it is the site's main COC. Other COCs are discussed within the context of ecological impacts indicated by the ecological risk assessment.

Contaminant concentrations are generally not presented but cleanup goals/standards for uranium for the various media are discussed.

**13e. Are all potential receptors and pathways identified?**

Generally yes. All p*otential ecological receptors and pathways associated with OSDF leachates and other possibly contaminated surface waters in the former production area under RBES are not identified.* The cleanup goal for uranium in groundwater is the MCL; but the CSMs (particularly Figure 4.3b2) do not show a potential human receptor to the

groundwater itself but only to surface water discharges. Clarify if the MCL is meant to protect off-site (resident) receptors?

**13f. For all potentially complete exposure pathways identified in the current state CSM, Does the RBES CSM show that the pathways will be blocked?**

Generally yes. (see comment in13b).

**13g. Is information on plumes provided (i.e., depth of plume, extent of plume, some measure of rate of movement of plumes to the extent that it aids the explanation of the risk basis for the end state under discussion.**

Yes, to the extent that it aids in the risk basis explanation.

**13h. Has a failure analysis been completed? Are the failure modes for each barrier identified, and are their consequences adequately described?**

A Performance Assessment of the OSDF analyzed failure modes.

**Cleanup Strategy/Regulatory**

**14a. Are the current/existing remedial decisions driven by risk-based end states (on a media-by-media basis for air, water, soil, etc., or other appropriate basis)? Are the statements in the document consistent throughout the text?**

Several current cleanup strategies are not risk-based. Most of the site's surface soil cleanup plan appears consistent with risks to a recreational user as the primary receptor, however the RBESV notes that it is overly conservative to use surface soil standards based on inhalation for sediments that are covered by water (streams, ponds and other open water areas). Supporting analysis on stream and pond coverage would strengthen this position.

The current restrictions on maximum contaminate levels of soils and debris deposited in the OSDF, the buffer zone, and perimeter fence will make it protective of a risk-level of $10^{-7}$ to the recreational user. The RBES proposes to blend wastes and use an averaging method of measuring for total Uranium within each cell, versus the current not to exceed restriction. This will result in the OSDF still being protective of human health at a risk level of $10^{-5}$.

The on-site and off-site groundwater cleanup plan is not risk-based and is instead driven by the regulatory based requirement to reduce contaminate levels in the Great Miami Aquifer (GMA) to residential drinking water standards. Previous proposals to limit future pump & treat operations and relying more on MNA, and use of a mid-river point of compliance (instead of at the outfall) to reduce the need to treat ground and surface waters, have been dropped by the site because of strong objections raised by regulatory and public stakeholders.

**14b. If there are future remedial decisions that have not been made, is there any information that the decisions will be driven by risk based end states?**

All decisions have been made.

15. **Since RBES is forward looking, environmental cleanup actions in place need not be examined explicitly. But environmental cleanup actions pending as a result of decisions already made but not yet implemented, and those implemented but that will continue to have project cost and schedule impacts (e.g., ground water pump and treat systems) should be reviewed as part of the RBES Vision development process. Are these decisions consistent with the RBES Vision? If not, have they been based on more or less conservative risk-scenarios or assumptions?**

Cleanup decisions appear to be consistent with the RBES Vision

16. **Are the regulatory drivers/standards for cleanup of the site clearly stated? For both the currently planned end state and the RBES? What are the "disconnects" between the current cleanup path as required by the regulatory drivers and that based on projected land use and the associated risk?**

Yes. Also see 13 d.

17. **Have the future roles and responsibilities of the parties involved in site cleanup been identified (e.g., DOE, current owner, future owner, other federal and state agencies)?**

Yes

18. **To what degree does the site's regulators, key stakeholders, Tribal nations and local government representatives agree with the currently identified and the planned risk based end-state?**

The discussion under Section 1.3.1 on pages 1-7 and 1-8, and the letters included in Attachment B, indicate that the stakeholders and regulators have issues and concerns with the proposed RBES for Fernald.

**Variances**

19. **Has the vision document identified all applicable variances between the current end state and the RBES?**

Appropriate variances have been identified

20. **If potential variances are not listed, list variances that should be considered and provide short description for each.**

N/A

**21. Were the variances adequately evaluated per the guidance (e.g., per page D-1 of the guidance are the key attributes [cost, schedule, scope and risk] listed, are barriers identified, and are next steps identified)?**

Variances were appropriately evaluated.

**Other Comments (cross cutting issues, coordination with other programs and Corporate Projects)**

**22. List as Comments any other items of concern with the document, such as text that is confusing, clarity and completeness of maps and CSMs.**

The Cleanup Status section on page 1-2 through 1-7 (including Table 1.1) should use consistent units of measure. The units of volume are given in cubic feet and cubic yards. The numbers given in Table 1.1 are listed as the "Status as of July 2003", but they are the same numbers listed on page 1-7 which are labeled "as of January 2004".

**23. The reviewer's overall perception regarding his/her review of the site's RBES document should be summarized through statements responding to the following:**

a. Does the site RBES submission adequately articulate an end state vision for the site that is risk based, readily sustainable, appropriately protective of human health and the environment, and consistent with the site and surrounding area's planned land use? Explain and cite examples.

The February draft is well-written; appears to be complete and addresses all the elements required by guidance. Additional information has been included in response to comments from the previous draft. New text describing ecological risk assessments performed and how the results were incorporated into the remedial strategy has been included. Citations for risk assessment and other relevant decision reports (RODs) have been added. The end-state use is appropriately risk-based and is consistent with the surrounding land uses. The end-state land use also has buy-in from stakeholders.

An additional variance associated with the shut down and subsequent dismantling and disposal of the water treatment facility (the AWWT) is presented in this draft. Information regarding interaction with the stakeholders over the RBES process has also been updated.

b. Are variances between the end state RBES vision and the current site cleanup baseline end state clearly identified and defined? Explain.

Appropriately defined

c. If there is no variance identified, is there adequate justification as to why the current site cleanup baseline end state meets the requirements for a RBES, i.e.,

does the RBES document show that the cleanup is sustainable, protective, and consistent with the site's surrounding land use? Explain.

N/A, there are four variances identified in Attachment A.

d. Is a conference call with the site necessary?

No

**Part 1a. Comments addressing improvements to the RBES Vision documents**

**24. The comments that will be generated in response to the questions in Checklist Parts I & II will for the most part address the compliance of the RBES Vision document with the RBES Policy statement and its associated published guidance. That is, the review team conclusions to the questions will in summary provide to the sites that information and the specific changes to the document necessary to produce a compliant document.**

In addition to this information, the RBES Review Team is to provide back to the sites items for consideration that would improve the RBES Vision document(s). These comments are to be separately identified as improvement items, as opposed to compliance items.

This could include for example, recommendations for additional contextual information that would further the explanation of any proposed individual RBES, or a site's position that the currently planned end state is appropriately risk based and sustainable. Other data, analyses, or examples illustrating positions being proposed germane to the RBES Vision discussion or justification could be recommended for inclusion if that would make an RBES hypothesis more readily understandable.

Another fruitful area would include additional information to be included in the Variance report that would provide analysis of the variance(s) of the RBES from currently planned end state(s). Such analyses could be aimed at identifying issues, obstacles, and concerns with the variances identified and how the Department will address and resolve them.

a. The items listed under Question #23 in Part I should be considered again for the purposes of this section of the Checklist. That is, what improvements in the RBES Vision document clarity could be made to improve either its understanding or otherwise support decision making by DOE relative to pursuit of any change in EM project/site end state and subsequent initiation of discussions with site regulators, stakeholders, or interested or affected Governments?

A discussion of the "Current Planned End State" could be added for each of the four Hazard Areas in Section 4.0.

**Checklist Part II – Crosswalk to the RBES Guidance – MAPS_CRESP**
Fernald Closure Project (FCP)
Checklist Completed: March 8, 2004

| Guidance Section | Subsection | Included in Document? | Comment (i.e. well done, missing xxx etc) |
|---|---|---|---|
| **Executive Summary** | | | |
| **Section 1 Introduction** | **1.1Organization of the Report** | | |
| | **1.2Site Mission** | | |
| | **1.3 Status of Cleanup** | | |
| **Section 2.0 Regional Context RBES Description** [1] | **2.1Physical and Surface Interface** | | |
| | Narrative | | |
| | Map 2.1a Regional Physical and Surface Interface – Current State | NO | Due to the close proximity between current and RBES only RBES is required. |
| | Map 2.1b Regional Physical and Surface Interface – RBES | YES | Well Done. Scale should be smaller to see more of the region. Contact information and map creator should be included. It looks as if a USGS topo map was used as a base. A contour or DEM would have been better to show topology and would remove the fuzzyness. What about off site wetlands? |
| | | | |
| | **2.2 Human and Ecological Land use** | | |
| | Narrative | | |
| | Map 2.2a Regional Human and Ecological Land Use – Current State | NO | See comments from 2.1a |

| Guidance Section | Subsection | Included in Document? | Comment (i.e. well done, missing xxx etc) |
|---|---|---|---|
| | Map 2.2b Regional Human and Ecological Land Use – RBES | YES | Well Done. Scale should be smaller to see more of the region. Contact information and map creator should be included. |
| | | | |
| | **2.3 Other Supporting Information (optional)** | | |
| | Narrative | | |
| | Map 2.3a[2] Site Defined Custom Configuration– Current State | N/A | |
| | Map 2.3b Site Defined Custom Configuration— RBES | N/A | |

| Guidance Section | Subsection | Included in Document? | Comment (i.e. well done, missing xxx etc) |
|---|---|---|---|
| **Section 3.0 Site Specific RBES Description** [1] | **3.1Physical and Surface Interface** | | |
| | Narrative | | |
| | Map 3.1a[3] Site Physical and Surface Interface – Current State | NO | See comments from 2.1a |
| | Map3.1b Site Physical and Surface Interface – RBES | YES | Well Done. Scale should be smaller to see more of the region. Contact information and map creator should be included. |
| | **3.2 Human and Ecological Land use** | | |
| | Narrative | | |
| | Map 3.2a Site Human and Ecological Land Use – Current State | NO | See comments from 2.1a |
| | Map 3.2b Site Human and Ecological Land Use – RBES | YES | Well Done. Make sure the land use refers to something other than land cover. This will explain the inconsistency between 3.2b and 2.2b. Scale should be smaller to see more of the region. Contact information and map creator should be included. |
| | | | |
| | **3.3 Site Context Legal Ownership** | | |
| | Narrative | | |
| | Map 3.3a Site Legal Ownership – Current State | NO | See comments from 2.1a |
| | Map 3.3b Site Legal Ownership – RBES | YES | Well Done. Scale should be smaller to see more of the region. Contact information and map creator should be included. |
| | | | |

| Guidance Section | Subsection | Included in Document? | Comment (i.e. well done, missing xxx etc) |
|---|---|---|---|
| | **3.4 Site Context Demographics** | | |
| | Narrative | | |
| | Map 3.4a Site Demographics– Current State | NO | See comments from 2.1a |
| | Map 3.4b Site Demographics– RBES | YES | Well Done. Scale should be smaller to see more of the region. Contact information and map creator should be included. |
| | | | |
| | **3.5 Other Supporting Information (optional)** | | |
| | Narrative | | |
| | Map 3.5a Site Defined Custom Configuration– Current State | N/A | |
| | Map 3.5b Site Defined Custom Configuration— RBES | N/A | |

| Guidance Section | Subsection | Included in Document? | Comment (i.e. well done, missing xxx etc) |
|---|---|---|---|
| **4.0 Hazard Specific Discussion[1]** | **4.0 Site Wide Hazard** | | |
| | Narrative | | |
| | 4.0a Site-wide Hazard Map – Current State | NO | See comments from 2.1a |
| | 4.0b Site-wide Hazard Map – RBES | YES | Well Done. |
| | 4.0a2[4] Site-wide CSM[5] – Current State | NO | |
| | 4.0b2[4] Site-wide CSM – RBES | NO | |
| | **4.1 Hazard Area 1 (insert area name)** | | |
| | Narrative | | |
| | 4.1a1 Hazard Area 1 (insert area name here) Map – Current State | NO | See comments from 2.1a |
| | 4.1b1 Hazard Area 1 (insert area name here) Map – RBES | YES | Well Done. Contact information and map creator should be included. NPL Symbol not necessary at this scale. Better as additional text. |
| | 4.1a2 Hazard Area 1 (insert area name here) CSM – Current State | NO | See comments from 2.1a |
| | 4.1b2 Hazard Area 1 (insert area name here) CSM – RBES | YES | |
| | **4.2 Hazard Area 2 (insert area name)** | | |
| | Narrative | | |
| | 4.2a1[6] Hazard Area 2 (insert area name here) Map – Current State | NO | See comments from 2.1a |
| | 4.2b1[6]Hazard Area 2 (insert area name here) Map – RBES | YES | Well Done. Contact information and map creator should be included. NPL Symbol not necessary at this scale. Better as additional text. |
| | 4.2a2Hazard Area 2 (insert area name here) CSM – Current State | NO | See comments from 2.1a |

| Guidance Section | Subsection | Included in Document? | Comment (i.e. well done, missing xxx etc) |
|---|---|---|---|
| | 4.2b2Hazard Area 2 (insert area name here) CSM – RBES | YES | |

| Guidance Section | Subsection | Included in Document? | Comment (i.e. well done, missing xxx etc) |
|---|---|---|---|
| **4.0 Hazard Specific Discussion[1]** | **4.3 Hazard Area 3 (insert area name)** | | |
| | Narrative | | |
| | 4.3a1 Hazard Area 3 (Insert area name here) Map- Current State | NO | See comments from 2.1a |
| | 4.3b1[6]Hazard Area 3 (insert area name here) Map – RBES | YES | Well Done. Contact information and map creator should be included. NPL Symbol not necessary at this scale. Better as additional text. |
| | 4.3a2Hazard Area 3 (insert area name here) CSM – Current State | NO | See comments from 2.1a |
| | 4.3b2Hazard Area 3 (insert area name here) CSM – RBES | YES | |
| | **4.4 Hazard Area 4 (insert area name)** | | |
| | Narrative | | |
| | 4.4a1 Hazard Area 4 (insert area name here) Map – Current State | NO | See comments from 2.1a |
| | 4.4b1 Hazard Area 4 (insert area name here) Map – RBES | YES | Well Done. Contact information and map creator should be included. NPL Symbol not necessary at this scale. Better as additional text. |
| | 4.4a2 Hazard Area 4 (insert area name here) CSM – Current State | NO | See comments from 2.1a |
| | 4.4b2 Hazard Area 4 (insert area name here) CSM – RBES | YES | |

| Guidance Section | Subsection | Included in Document? | Comment (i.e. well done, missing xxx etc) |
|---|---|---|---|
| | | | |

| Guidance Section | Subsection | Included in Document? | Comment (i.e. well done, missing xxx etc) |
|---|---|---|---|
| Attachment 1— Variance Report[7] | A Table containing a description of each variance, the impacts of the each variance, barriers to achieving the RBES and recommendations/next steps. | | |
| | Figure 1 Site wide hazard specific map –end state per the current agreements. | | |
| | Figure 2 Site wide hazard specific map-RBES | | |

| Guidance Section | Subsection | Included in Document? | Comment (i.e. well done, missing xxx etc) |
|---|---|---|---|

[1] Some sites with near term closure dates are not required to produce current state portion of the RBES vision document. See attachment 1 of the RBES vision guidance for the list of sites.

[2] Maps starting 2.3a and beyond are optional. Site should name the maps as appropriate using the numbering system provided in Guidance Appendix B, Section 2-Regional Context Maps, Figure 2-1

[3] For Site Context Maps, "map sets" are designed rather than single maps to provide sites with the flexibility to layer one to several feature categories. (Refer to Guidance, Appendix B, Section 3.0- Site Context Maps, and Figure 3-1.)

[4] For small sites, when all hazard areas can be shown clearly on the site-wide hazard maps, hazard maps and CSM are not required. In such case, site-wide hazard CSM-current state (4.0a2) and site-wide hazard CSM-RBES (4.0b2) should be provided. Note: the closure site rule applies and only the RBES is required.

[5] Conceptual Site Modes (CSM) consist of a figure and a narrative as described in Guidance, Appendix C.

[6] Continue to number for each hazard area 1 though x.

[7] Refer to Guidance Appendix D.

# Department of Energy

Washington, DC 20585

May 21, 2004

Mr. James C. Bierer
Chair, Fernald Citizens Advisory Board
M.S. 76
P.O. Box 538704
Cincinnati, OH 45253-8704

Dear Mr. Bierer:

Thank you for your April 9, 2004, and December 3, 2003, letters requesting that Risk-Based End State (RBES) activities not be applied to the Fernald Environmental Management Project.

Over the years the Fernald Citizens Advisory Board has provided the Department of Energy (DOE) with the concerns and perspectives of the local community, and we appreciate your input on RBES. The DOE wants to achieve site closure in a responsible, sustainable and environmentally protective manner based on a quantified, technically-sound endpoint. Doing so requires an understanding and acceptance by all parties of the delicate balance between worker and public risk, as well as fiscal and moral responsibility. Development of the RBES vision document for Fernald will ensure that this objective is met.

We are deferring any consideration of an alternative end state for Fernald until the vision document is completed later this year. I want to ensure you that if we propose an alternative we will follow the procedures of the Comprehensive Environmental Response, Compensation, and Liability Act and other applicable regulatory requirements. This process will ensure that consideration is given to stakeholder concerns.

While the product of these activities may or may not result in a change in the current planned end state, the process itself will be beneficial in providing a forum for useful dialog, a more comprehensive analysis of comparative risks, and an up-to-date quantitative foundation for the ultimate end state. I urge you to continue to work with the site to explore the RBES vision and to achieve a mutually satisfactory result.

If you have any further questions, please call me at (202) 586-7709 or Mr. Eugene C. Schmitt, Deputy Assistant Secretary for Environmental Cleanup and Acceleration, at (202) 586-0755.

Sincerely,

Jessie Hill Roberson
Assistant Secretary for
Environmental Management